



General Assembly

January Session, 2009

***Amendment***

LCO No. 7368

**\*SB0104507368SD0\***

Offered by:  
SEN. HARRIS, 5<sup>th</sup> Dist.

To: Senate Bill No. 1045

File No. 595

Cal. No. 424

***"AN ACT CONCERNING RESPONSIBILITY FOR HOSPITAL  
"NEVER" EVENTS."***

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective January 1, 2010*) (a) As used in this  
4 section:

5 (1) "Hospital" means an acute care hospital that is subject to the  
6 federal inpatient prospective payment system described in 42 CFR 412;  
7 and

8 (2) "Outpatient surgical facility" has the same meaning as provided  
9 in section 19a-493b of the general statutes.

10 (b) No hospital or outpatient surgical facility shall seek payment for  
11 any increased costs that are incurred as the direct result of a hospital-  
12 acquired condition, identified as nonpayable by Medicare pursuant to  
13 Section 5001(c) of the Deficit Reduction Act of 2005. Except as

14 otherwise provided by federal law or section 8 of public act 09-2, the  
15 provisions of this section shall apply irrespective of the patient's  
16 insurance status or source of payment, including self-pay status.

17 Sec. 2. Section 8 of public act 09-2 is repealed and the following is  
18 substituted in lieu thereof (*Effective from passage*):

19 The Commissioner of Social Services shall amend the Medicaid state  
20 plan to indicate that [approved inpatient hospital rates are not  
21 applicable to] when reimbursement for inpatient hospital care includes  
22 hospital-acquired conditions, [that are] identified as nonpayable by  
23 Medicare pursuant to Section 5001(c) of the Deficit Reduction Act of  
24 2005, [so that hospitals are not paid for such hospital-acquired  
25 conditions] such reimbursement shall be limited to the amount that  
26 would have been paid had the hospital-acquired condition not been  
27 present."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2010</i>	New section
Sec. 2	<i>from passage</i>	PA 09-2, Sec. 8

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Sec. 2	<i>from passage</i>	PA 09-2, Sec. 8